

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.39188 of 2015
and M.P.No.1 of 2015

1.S.Ezhumalai
2.S.Ravi
3.S.Ramesh

... Petitioners

Vs.

1. The Collector of Kancheepuram,
Kancheepuram District,
Kancheepuram.
2. Revenue Divisional Officer,
Madhuranthagam,
Kancheepuram District.
3. The Managing Director,
Tamil Nadu Road Development Company Ltd.,
No.171, II Floor, Tamil Nadu Maritime Board Building,
South Kesavaperumal Puram,
Pasumpon Muthuramalingam Road,
(Near Greenways Road MRTS Station),
Raja Annamalai Puram, Chennai - 600 028.
4. The Divisional Engineer (Highways),
Chengelpet Division,
Chengelpet, Kancheepuram District.

...Respondents

Prayer:-

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other Writ or Order or Orders or direction in the nature of a Writ, forbearing the respondents, their men, agents or representatives from dispossessing the petitioner's land in Survey No.165/11 measuring an extent of 54 ares (1.33 acres) at Veembanur Village, Cheyyur Taluk, Kancheepuram District without initiating fresh acquisition process and without paying fair compensation as per the Act 30 of 2013.

For Petitioners : Mr.Krishna Ravindran

For R1, R2 & R4 : Mr.P.Sathish
Additional Government Pleader
For R3 : Mr.M.Sivavarthan

ORDER

This writ petition has been filed to issue a Writ of Mandamus forbearing the respondents, their men, agents or representatives from dispossessing the petitioner's land in Survey No.165/11 measuring an extent of 54 ares (1.33 acres) at Veembanur Village, Cheyyur Taluk, Kancheepuram District without initiating fresh acquisition process and without paying fair compensation as per the Act 30 of 2013.

2.The case of the petitioners is that the petitioners are claim to be the owners of the property in Survey No.165/11 to the total extent of 54 Ares (1.33 acre). However, without acquisition and payment of compensation, the respondents tried to dispossess the petitioners from the above said property. Thereby, the petitioner filed this Writ Petition.

3.On instructions, the learned Additional Government Pleader submitted that the possession of any of the petitioner's land was not taken and the petitioners are still in possession of the same. Hence, there is no question of acquisition and payment of compensation.

4.Accordingly, recording the same this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ep/sk

To

1. The Collector of Kancheepuram,
Kancheepuram District,
Kancheepuram.
2. Revenue Divisional Officer,
Madhuranthagam,
Kancheepuram District.

3. The Managing Director,
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4. The Divisional Engineer (Highways),
Chengelpet Division,
Chengelpet, Kancheepuram District.

+lcc to Mr.M.Sivavarthanan, Advocate, S.R.No.30389
+lcc to the Government Pleader, S.R.No.39854

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and M.P.No.1 of 2015

SMI (CO)
CT/21/07/2022